

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-7196

ROBERT D. BROOKS,

Plaintiff - Appellant,

v.

PADULAH, Warden of Lee CI all are sued in their individual and official capacity respectively; D. WHITNEY, Mailroom Worker, all are sued in their individual and official capacity respectively; OBERMAN, ASU Manager all are sued in their individual and official capacity respectively; L. MILLER, Grievance Coordinator all are sued in their individual and official capacity respectively; R. JOHNSON, Captain of Contraband all are sued in their individual and official capacity respectively; OFFICER SIMON, Contraband Officer all are sued in their individual and official capacity respectively; UBOLA, dentist all are sued in their individual and official capacity respectively; MCCLARY, dentist assistant all are sued in their individual and official capacity respectively; LIEUTENANT DAVIS, of ASU all are sued in their individual and official capacity; W. SERMONS, LPN of Lee CI all are sued in their individual and official capacity respectively,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Margaret B. Seymour, District Judge. (6:09-cv-00992-MBS)

Submitted: January 13, 2011

Decided: January 19, 2011

Before MOTZ, KING, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Robert D. Brooks, Appellant Pro Se. Samuel F. Arthur, III,
AIKEN, BRIDGES, NUNN, ELLIOTT & TYLER, PA, Florence, South
Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert D. Brooks appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2006) complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2006 & Supp. 2010). The magistrate judge recommended that relief be denied and advised Brooks that failure to file timely objections to this recommendation could waive appellate review of a district court order based upon the recommendation.

The timely filing of specific objections to a magistrate judge's recommendation is necessary to preserve appellate review of the substance of that recommendation when the parties have been warned of the consequences of noncompliance. Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985); see also Thomas v. Arn, 474 U.S. 140 (1985). Brooks has waived appellate review by failing to file specific objections after receiving proper notice. Accordingly, we affirm the judgment of the district court.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED